

FILED
U.S. DISTRICT COURT
SAYANAN DIV.
FOR

CLERK
S. DIST. OF GA.

Petitioner,

CASE NOS. CV416-129

UNITED STATES OF AMERICA,

Respondent.

In his objections, Petitioner argues that Georgia's burglary statute "may no longer qualify as an [Armed Career Criminal Act] predicate" following the Supreme Court's

decision in Mathis v. United States, 579 U.S. ___, 136 S. Ct. 2243 (2016). However, Petitioner's argument is clearly foreclosed by the Eleventh Circuit Court of Appeals' decision in United States v. Gundy, 842 F.3d 1156 (2016). In Gundy, the Eleventh Circuit analyzed the Supreme Court's reasoning in Mathis and concluded that "Georgia burglary convictions qualify as violent felonies under the [Armed Career Criminal Act's] enumerated crimes clause." 842 F.3d at 1169. Accordingly, Petitioner's objection lacks merit.

SO ORDERED this 17th day of January 2017.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA